

BARRY J. PORTMAN
Federal Public Defender
JOHN PAUL REICHMUTH
Assistant Federal Public Defender
555 - 12th Street, Suite 650
Oakland, CA 94607-3627
Telephone: (510) 637-3500
Counsel for Defendant WEAGLE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-11-279 SBA
)	
Plaintiff,)	STIPULATED REQUEST TO CONTINUE
)	CHANGE OF PLEA AND SENTENCING
v.)	HEARING DATE TO OCTOBER 26, 2011
)	AND TO EXCLUDE TIME UNDER THE
)	SPEEDY TRIAL ACT AND ORDER
ROBERT EDWARD WEAGLE,)	
)	Hearing Date: October 20, 2011
Defendant.)	Time: 10:00 a.m.
)	
)	

The above-captioned matter is set on October 20, 2011 before this Court for change of plea and judgment and sentencing. The parties jointly request that the Court continue the matter to October 26, 2011 at 10:00 a.m. for entry of plea, judgment, and sentencing, and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(G) and 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), between the date of this stipulation and October 26, 2011.

Counsel for Mr. Weagle is ill and is unable to come to court. Counsel anticipates that he will be available on October 26, 2011 to proceed with the change of plea and with sentencing.

DATED: October 20, 2011

/S/
JOSHUA HILL
Assistant United States Attorney

DATED: October 20, 2011

/S/
JOHN PAUL REICHMUTH
Assistant Federal Public Defender

ORDER


Based on the reasons provided in the stipulation of the parties above, the Court hereby
FINDS:

1. Counsel for the defendant is unavailable due to illness; and
2. The Court has taken the plea agreement under submission to allow United States Probation Office to prepare a pre-plea presentence investigation report.

Based on these findings, IT IS HEREBY ORDERED that this matter is continued to October 26, 2011 at 10:00 a.m. for change of plea and judgment and sentencing.

IT IS FURTHER ORDERED that time is excluded from the date of this Stipulation to October 26, 2011 under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), to assure the defendant continuity of counsel; and under 18 U.S.C. § 3161(h)(1)(G), based on the Court's consideration of the proposed plea agreement to be entered into by the defendant and the attorney for the government.

DATED:10/21/11


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge